

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LAWERENCE W. HAMMARE,

Plaintiff,

vs.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA, and T-
MOBILE USA, INC.,

Defendants.

CIVIL ACTION NO. 05-30155-MAP

**PLAINTIFF AND DEFENDANT
T-MOBILE USA, INC.'S ASSENTED TO
JOINT MOTION TO EXTEND THE
DEADLINE FOR FILING A POSSIBLE
OPPOSITION TO DEFENDANT
PRUDENTIAL INSURANCE COMPANY
OF AMERICA'S MOTION FOR
JUDGMENT ON THE PLEADINGS**

The Defendant, T-Mobile USA, Inc. ("T-Mobile"), and the Plaintiff, Lawrence W. Hammare ("Plaintiff"), with the assent of the Defendant, The Prudential Insurance Company of America ("Prudential"), jointly request that the Court extend the deadline for filing any potential opposition memoranda to Prudential's Motion for Judgment on the Pleadings until October 31, 2005. T-Mobile and Plaintiff, with the assent of Prudential, make this joint request for the following reasons:

1. Under the current deadline, all opposition memoranda are due on October 17, 2005.
2. The parties are making a good faith effort to resolve this matter and have begun settlement discussions.
3. Because the parties are attempting to resolve this matter, T-Mobile and Plaintiff wish to avoid any costs associated with the preparation of opposition memoranda.

4. The parties believe that two weeks, until October 31, 2005, will give them sufficient time to fully explore settlement possibilities and, hopefully, resolve this matter.

WHEREFORE, the parties request that the court extend the deadline for filing any potential opposition memoranda to Prudential's Motion for Judgment on the Pleadings until October 31, 2005.

Respectfully Submitted,

Respectfully Submitted,

/s/ Judd L. Peskin, Esq.
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/s/ Amy B. Royal, Esq.
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Dated: October 14, 2005

Dated: October 14, 2005

ASSENTED TO:

/s/ Edward P. O'Leary, Esq.
Edward P. O'Leary, Esq.
BBO #551932
Counsel for Prudential Insurance Company of America
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Tel.: (617) 695-2330/Fax: (617) 695-2335

Dated: October 14, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Plaintiff and Defendant T-Mobile USA, Inc.'s Assented to Joint Motion to Extend the Deadline for Filing a Possible Opposition to Defendant Prudential Insurance Company of America's Motion for Judgment on the Pleadings* was served upon the attorney of record for each other party via electronic filing and by first-class, U.S. mail, postage prepaid, on October 14, 2005.

/s/ Amy B. Royal, Esq.

Amy B. Royal, Esq.